

November 27, 2017

The regular monthly meeting of the Board of Commissioners of the Bayou Lafourche Fresh Water District was held on Monday, November 27, 2017 at 5:00 p.m. at the Water District office, 1016 St. Mary Street, Thibodaux, LA

Present were: Hugh Caffery, Chairman
Gene Harrell, Vice-Chairman
Greg Nolan, Secretary/Treasurer
Francis Richard
Jake Giardina
Donald Schwab
Scott LeBlanc
Eli Miles, Jr.
Lance Authement
Ray Mayet

Absent: Chris Domangue

Also present: Glenn Ledet, Jr., CPRA ; Ignacio Harrouch, CPRA, Kevin Dezean; Dan Grandal; Jason Kennedy
Clark Capone; Ryan Perque, FOBL; John Lafargue, FOBL; Alma Robichaux; Henry Templet;
Hattie Templet; Josh Bordelon, Robert Mire; Nick Porto; Jerry Waguespack
Barry Marionneaux, Attorney; Ben Malbrough, Executive Director; Jana Langley, Admin. Assistant

Moved by Commissioner Lance Authement, seconded by Vice-Chairman Gene Harrell to dispense with the reading of the minutes, and approve the minutes of October 23, 2017. Motion carried unanimously.

Moved by Commissioner Francis Richard, seconded by Commissioner Ray Mayet to approve the accounts payable for October. Motion carried unanimously.

Moved by Commissioner Scott LeBlanc, seconded by Commissioner Eli Miles, Jr. to approve the finance report for October. Motion carried unanimously.

Mr. Malbrough advised that everything is operating normal in the bayou, and at the pump station. The pumping summary was sent to the Board. Go Pro replaced the drone that we purchased that was damaged during its first voyage. We did a base line inspection of both banks of the bayou from Donaldsonville to the Intracoastal. We will catalog it, and continue to monitor it.

Mr. Malbrough reported that there is nothing significant to report on the Pumping Capacity Improvements Project. He advised that Dan Grandal is here if anyone has any specific questions on the project. The plan as of now is to have the 30% design completed by the end of January.

Mr. Malbrough stated that he sent to the Board with the meeting documents a proposal from the Royal Engineering team for the design of the water control structure, which will be placed somewhere in the vicinity between Supreme and Labadieville. The proposal has a detail breakdown of the level of effort by the Royal team. The only number that has yet to be ironed down is the geotechnical engineering expense. Mr. Malbrough asked for approval of the proposal.

Moved by Commissioner Greg Nolan, seconded by Commissioner Scott LeBlanc to approve to move forward into the negotiations, and the execution of a contract with Royal Engineering to do the design of the water control structure for an amount not to exceed \$396,652.00. Motion carried unanimously.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Lance Authment and unanimously approved to open the public hearing on the 2018 Proposed Operational Budget.

Mr. Malbrough advised that he sent the budget to the Board to review. He reviewed the figures for the 2018 Proposed Operational Budget. Chairman Hugh Caffery asked about the sediment trap dredging, and there was a discussion on the sediment trap dredging. Mr. Malbrough also reviewed the 2017 Amended Budget.

Chairman Hugh Caffery asked three times for any comments on the budgets, and there were no further comments.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Eli Miles, Jr. and unanimously approved to close the public hearing on the 2018 Proposed Operational Budget.

Moved by Commissioner Francis Richard, seconded by Commissioner Jake Giardina and unanimously approved to adopt the 2018 Proposed Operational Budget.

Moved by Commissioner Ray Mayet, Jr., seconded by Commissioner Donald Schwab and unanimously approved to adopt the 2017 Amended Operational Budget.

Mr. Malbrough reviewed the 2017 Amended CIAP Budget. He advised that those figures are remaining after accruals for the 2016 Union Pacific Railroad project, and Pedestrian Bridge project.

Moved by Vice-Chairman Gene Harrell, seconded by Commissioner Eli Miles, Jr. and unanimously approved to adopt the 2017 Amended CIAP Budget.

Mr. Malbrough advised that representatives from CPRA are here today for a power point presentation to explain the Construction Manager at Risk (CMAR) project delivery method.

Mr. Glen Ledet, Jr., CPRA, introduced himself and Ignacio Harrouch to the Board. He advised that they were asked to give a presentation on the work they have done on the Mid-Basin Sediment Basin Program as follows:

Sediment Diversion is complex projects with multiple features

Mid-Barataria:

- 75,000 peak flow; Construction cost Approximately \$1.38B

Mid-Breton:

- 35,000 peak flow; Construction cost \$750M

What is Project Delivery?

- A system used by an agency or owner for organizing, designing, and constructing a structure or facility by entering into contractual agreements with one or more entities or parties
- In short, it's the plan or method for taking a project from concept to construction

What is Collaborative Project Delivery?

- A comprehensive term encompassing various forms of design-build project delivery methods – including construction management at-risk (CMAR) – that fosters a cooperative relationship among the owner, the designer, and the builder in an integrated design construction process.
- Integrates Builder input and constructability analysis early in the process
- Reduction in overall project risks
- Provides opportunity for higher degree of cost/budget certainty
- Accelerated overall delivery schedule is possible
- i.e. Design Build and Construction Management at Risk

Traditional Project Delivery -Design-Bid-Build (DBB)

- The traditional project delivery system for Public Entities; proven and reliable
- Owner holds a contract with a Designer followed by a separate contract with a Builder
- Builder's contract typically awarded on "low bidder" basis; little opportunity for qualifications-based selection
- No contractual relationship between Designer and Builder

Design-Build (General)

- A purpose-built team is hired for Design and Construction services through one contract with the Owner
- Various forms of DB – Fixed Price and Progressive
- Designer and Builder share all responsibility, risks, success, and failures.....minimizes ‘finger pointing’
- Becoming Common for large civil works projects (dams, reservoirs, bridges, wastewater treatment facilities)
- Maximizes collaboration, contractor input, and innovation

Fixed Price Design-Build

Lump Sum Contract price through construction; Change in Scope = Price Adjustment

Progressive Design-Build

Owner’s Budget

Construction Management at Risk (CMAR)

- Owner holds separate contracts with a Designer and Construction Manager specifically hired to work together
- “Design-Build Light”less collaborative; requires “forced marriage”; ideal when DB is not desired or allowed
- Allows traditional selection of Design Professionals
- Construction Manager selected through RFQ by selection committee

Advantages of CMAR:

- Legislation has been established for policies/procedures and protection against legal challenges (RS 38:2225.2.4)
- Widely accepted by both engineering and construction industry (Contractually Similar to traditional delivery) Provides contractor-led estimates earlier and allows scope revision during design to meet project budget
- More suitable for the USACE/NEPA permitting and regulatory process than any form of Design-Build
- High level of Owner input during Design
- Can reduce overall project risks and contingency; may reduce design misunderstandings and change orders

CMAR PRE-SOLICITATION - REQUEST FOR QUALIFICATIONS

PROPOSED SCORING CRITERIA:

- Business Organization, History, and Financial Condition; Experience & Qualifications of Key Personnel
- Relevant Project Experience; Pre-Construction Phase Approach; Construction Phase Approach
- Ability to Meet All SOQ Requirements

SELECTION COMMITTEE

- Selection Committee shall consist of no more than five individuals as follows:
 - One design professional in the discipline of but not involved in the project
 - One licensed contractor in the discipline of but not involved in the project
 - One representative of the owner
 - Two members at large
- Selection Committee Members will be disclosed in the RFQ

CMAR CONSTRUCTION PHASE - GUARANTEED MAXIMUM PRICE (GMP)

- The CMAR contractor shall provide to the owner a Guaranteed Maximum Price (GMP) for construction of the project, before or upon completion of the final design.
- If a GMP can be established and agreed upon, CPRA may then award a contract for construction services.
- If the CPRA and the CMAR contractor are not able to agree upon constructability, construction phasing and sequencing, the GMP for the project, the maximum number of contract days to complete the project, and reach a negotiated agreement, **then the project shall be re-advertised and publicly bid utilizing the design-bid-build delivery method (Owner’s “off-ramp”).**

Primary Questions:

Will the selected CMAR contractor be expected to self-perform construction work? If so, to what level?

- After analyzing the cost and scope of the key project components, CPRA has determined that a minimum self-performance level of 30% and maximum self-performance level of 70% is appropriate for this project.

Will proposing CMAR contractors need to possess a Louisiana heavy construction license to submit a response to the RFQ?

- CPRA determined that all proposers shall be a licensed general contractor in the state of Louisiana at the time of proposal submission.

Chairman Hugh Caffery thanked Glenn Ledet, Jr. and Ignacio Harrouch for setting up the presentation.

Mr. Malbrough advised that John Lafargue wants to step down the back portion of his property which is outside of our recently revised permit guidelines, and recommended that we approve his permit application.

Moved by Commissioner Greg Nolan, seconded by Commissioner Jake Giardina to approve the permit application for John Lafargue to terrace existing bayou bank to the water's edge located at 256 East Bayou Road., Thibodaux, La. Also to attach small 4' X 8' or 4' X 16' floating dock. Motion carried unanimously.

Mr. Ryan Perque, Executive Director of Friends of Bayou Lafourche, gave an update on the Friends of Bayou Lafourche as follows:

- Continuing to meet with community organizations, elected officials, and community leaders.
- Recently received a grant to increase our web presence. We will use the grant dollars to utilize a professional web designer to revamp our website. We want the website to be a centralized hub of information for everything going on along the bayou.
- Building up social media, and getting more followers.
- Lafourche Parish has proposed money placed in their budget and if approved, we will be able to make improvements for boat launch.
- The CEA between Friends of Bayou Lafourche and Nicholls State University is going to the UL System Board of Directors this Friday for their monthly meeting.
- Identified two locations between Thibodaux and Raceland for potential public access areas, and are beginning conversations with those owners on both those properties for land acquisition or extended leases.
- Narrowing down some different choices for events and recreational programs to host in the spring.

Chairman Hugh Caffery asked for any public comments, and there were none.

Commissioner Donald Schwab asked if we set a date for December, and Mr. Malbrough answered no. The Board discussed the date to hold the meeting, and it was agreed by the Board to move the date to Thursday, December 14th.

Chairman Hugh Caffery stated that there is no executive session tonight.

Moved by Commissioner Jake Giardina, seconded by Commissioner Francis Richard and unanimously approved the meeting adjourned at 6:40 p.m.

Hugh Caffery, Chairman

Greg Nolan, Secretary/Treasurer

